

# Exhibit 2

1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF NEW HAMPSHIRE

5 DERICK ORTIZ, individually and on behalf ) Case No.

6 of all others similarly situated, ) 1:19-cv-01025-JL

7 Plaintiff, )

8 vs. )

9 SIG SAUER, INC., )

10 Defendant. )

11 )

12 REMOTE VIDEOCONFERENCE DEPOSITION

13 OF ADRIAN J. THOMELE, called as a witness by and on  
14 behalf of the Plaintiff, pursuant to the applicable  
15 provisions of the Federal Rules of Civil Procedure,  
16 before P. Jodi Ohnemus (remotely), RPR, RMR, CRR,  
17 CA-CSR #13192, NH-LSR #91, and MA-CSR #123193, at  
18 Exeter, New Hampshire, on Wednesday, May 12, 2021,  
19 commencing at 10:22 a.m.

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21  
22  
23  
24  
JOB NO. 4575147

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1	Q. Okay.	12:58:00
2	A. I'm referring to the email as a baseline.	12:58:05
3	Q. And so when Mr. Tuohy called Sig on August	12:58:10
4	4th, is that the first time that Sig realized that	12:58:15
5	there was a drop fire problem with the P320?	12:58:18
6	MR. JOYCE: Objection to form.	12:58:23
7	You can answer over objection.	12:58:25
8	A. No.	12:58:29
9	Q. When was the first time that Sig realized	12:58:32
10	there was a drop fire problem with the P320?	12:58:34
11	MR. JOYCE: Same objection.	12:58:37
12	A. Depending on the -- the specifics of what	12:58:41
13	you define as a problem, it's early 2017.	12:58:43
14	Q. Okay. When the Army told Sig about the --	12:58:50
15	the testing that they had done; right?	12:58:53
16	A. There was one incident prior to the -- the	12:58:56
17	Army in that same time frame where another -- a	12:58:59
18	different customer had done an off-standard	12:59:02
19	testing.	12:59:08
20	Q. When was that?	12:59:08
21	A. Again, early 2017. About the same time	12:59:10
22	frame, as -- as far as I can recall.	12:59:14
23	Q. Which customer was that?	12:59:18
24	A. There was a customer called Caracal.	12:59:19
25	Q. Can you spell that?	12:59:23

1	A. C-a-r-a-c-a-l.	12:59:24
2	Q. What is Caracal?	12:59:29
3	A. Say again?	12:59:30
4	Q. What is Caracal?	12:59:31
5	A. That's a customer from -- that we	12:59:36
6	delivered guns to.	12:59:38
7	Q. Do you know is Caracal a business?	12:59:39
8	A. It's a business, yes.	12:59:42
9	Q. And what kind of business is Caracal	12:59:44
10	involved in?	12:59:46
11	A. Firearms business, firearms industry.	12:59:52
12	Q. Are they a retailer?	12:59:54
13	A. They are a company that makes firearms,	12:59:56
14	but at that time my understanding is that they	01:00:01
15	purchased our firearms and sold them as a Caracal	01:00:03
16	model -- as a contractor, I think.	01:00:09
17	Q. And when did Caracal tell Sig that they	01:00:17
18	were experiencing drop fires?	01:00:22
19	A. I cannot recall, but it's either very late	01:00:26
20	2016, I assume, or early 2017 -- with their SKU,	01:00:31
21	which is also, as far as I remember, a different	01:00:37
22	version as well. So it's not the same -- it's not	01:00:39
23	the standard model at all times.	01:00:46
24	Q. Now, the version of the -- it's a version	01:00:48
25	of the P320 that was sold to Caracal, right?	01:00:50

